



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No: 032931/0252 *1/1*

In re patent application of
MURDIN, Andrew D. *et al.*

Serial No.: 09/857,128

Group Art Unit: 1645

Filing date: December 1, 1999

Examiner: Patricia A. Duffy

Lirida
7/15/03

For: CHLAMYDIA ANTIGENS AND CORRESPONDING DNA FRAGMENTS AND
USES THEREOF

INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is being filed in the manner prescribed by 37 CFR 1.97(b) - (d) to satisfy the duty under 37 CFR 1.56 to disclose to the Office information, known to individuals associated with the filing and prosecution of the subject application, which is material to the examination of the application.

In accordance with 37 CFR 1.97(g) and (h), this statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 CFR 1.56(b).

In compliance with 37 CFR 1.98(a)(1), a list of all patents, publications or other information submitted for consideration by the Office is hereby provided by way of the attached Form PTO 1449.

In compliance with 37 CFR 1.98(a)(2), also enclosed is a legible copy of:

- i) each United States and foreign patent;
- ii) each publication or that portion which caused it to be listed; and
- iii) all other information or that portion which caused it to be listed, excluding any copies of a United States patent application.

The attached Form PTO 1449 discloses an NCBI BLAST search which identifies a number of sequences by their NCBI accession numbers. The entire BLAST search

results are submitted to assist the Examiner.

Because the BLAST search identifies all relevant sequences and not just those which became publicly available after the claim date, not all the sequences identified by their accession numbers are prior art. In particular, the first two sequences identified by BLAST, namely accession numbers B72077 and E86546 (PIR date April 23, 1999 and March 2, 2001 respectively), were available only after the claim date.

We further advise that there is another sequence available on the database on June 21, 1998, which is also identified by NCBI as B72077. This sequence is linked to the B72077 sequence identified in the BLAST search; however, the June 21, 1998 sequence is from human sperm and is unrelated to the B72077 sequence identified in the BLAST search.

It is respectfully requested that the information be expressly considered by the Examiner and that the references be made of record and appear among the "References Cited" on any patent to issue therefrom.

Respectfully submitted,

Dated: June 26, 2003



Michele M. Simkin
Attorney for Applicant
Registration No. 34,717

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5427
Facsimile: (202) 672-5399